

Rec'd PCT/PTO 30 JUL 2002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

STEIMER et al.

Serial. No. 10/088,384

Filed: March 15, 2002

For: TRANSCRIPTIONALLY SILENCED  
PLANT GENES

Art Unit: TBA

Examiner: TBA

Atty Docket: 31147A

Confirmation No.: 5107

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)(3)**Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b)(3), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the first Office Action on the merits.

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached forms.

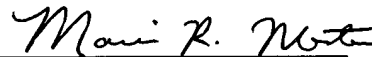
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies these documents as prior art against any

claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of these documents be applied against the claims of the present application.

In accordance with 37 CFR §1.97(b)(3), no fee is believed to be required for consideration of this statement because it is being submitted before the mailing date of a first Office Action on the merits. If a fee is deemed to be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 50-1744.

Respectfully submitted,



Marcia R. Morton  
Attorney for Applicants  
Registration No. 46,942

Syngenta Biotechnology, Inc.  
P. O. Box 12257  
Research Triangle Park, NC 27709-2257  
Telephone: 919-541-8566  
Date: July 30, 2002

## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY. DOCKET NO.

S-31147A

APPLICANT NO.

10/088,384

APPLICANT

STEIMER et al.

FILING DATE:

March 15, 2002

Confirmation No.

5107

Group

TBA

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
AA						

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

AB	Dante E., "F7N22.8 Protein" DATABASE SWALL [online] EMBL; AC/ID AC065225 (August 1, 1998)
AC	Dante et al., "The sequence of A. thaliana F7N22" DATABASE EM_PL [online] EMBL; AC/ID AF058825 (April 16, 1998)
AD	Jordan et al., "Arabidopsis thaliana DNA chromosome 3, BAC clone T15B3" DATABASE EM_PL [online] EMBL; AC/ID AL163975 (April 17, 2000)
AE	Kotani H. and Kumekawa N., "Arabidopsis thaliana DNA, chromosome 5 centromere region, clone:F26M13" DATABASE EMBLNEW [online] EMBL; AC/ID AB046429 (September 5, 2000)
AF	Kumekawa et al., <i>The Size and Sequence Organization of the Centromeric Region of Arabidopsis Thaliana Chromosome 5</i> <i>DNA Research</i> , Vol. 7 (2000), pp. 315-321
AG	Lin et al., "Arabidopsis thaliana 'TAMU' BAC 'T6C20' genomic sequence near marker 'g4532'" DATABASE EM_HTG [online] EMBL; AC/ID AC005898 (November 2, 1998)
AH	Lin et al., "Arabidopsis thaliana chromosome II section 74 of 255 of the complete sequence. Sequence from clones F15011, F1404, T26C18." DATABASE EM_PL [online] EMBL; AC/ID AC007209 (April 4, 1999)
AI	Liu et al., "Arabidopsis thaliana chromosome 1 BAC F9D18 sequence" DATABASE EM_HTG [online] EMBL; AC/ID AC007183 (March 3, 1999)
AJ	Mittelstein Scheid et al., <i>Release of epigenetic gene silencing by trans-acting mutations in Arabidopsis</i> <i>Proceedings of the National Academy of Science, USA</i> , Vol. 95 (January 1998) pp. 632-637
AK	Paszkowski et al., <i>Plant Genes: The Genetics of Epigenetics</i> <i>Current Biology</i> , Vol. 8, (1998) R206-R208
AL	Steimer et al., <i>Endogenous Targets of Transcriptional Gene Silencing in Arabidopsis</i> <i>The Plant Cell</i> , Vol. 12 (July 2000) pp. 1165-1178
AM	Strowmatt et al., "The Sequence of A. thaliana T9E19" DATABASE EM_PL [online] EMBL; AF/ID AF104920 (November 11, 1998)

EXAMINER	DATE CONSIDERED
----------	-----------------

\*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609: Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.